

Please type a plus (+) inside this box +

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |               |             |          |
|--|---------------|-------------|----------|
| Attorney Docket No.                            | 11122-030-999 | Total Pages | 54       |
| First Named Inventor or Application Identifier |               |             |          |
| H. A. DUGGER, III                              |               |             | 10/29/03 |
| Express Mail Label No.                         |               |             | 10/29/03 |

## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

### APPLICATION ELEMENTS

See MPEP chapters 600 concerning utility patent application contents.

Commissioner for Patents  
P.O. Box 1450  
Mail Stop PATENT APPLICATION  
Alexandria, VA 22313-1450

|  |  |
|--|--|
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form<br/><i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification<br/><i>(preferred arrangement set forth below, MPEP 1503.01)</i></p> <ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R&amp;D</li> <li>- Reference to Microfiche Appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description of the Invention (including drawings, if filed)</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113)<br/>[Total Sheets 1 ]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration, unexecuted<br/>[Total Sheets 2 ]</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/><i>(for continuation/divisional with Box 18 completed)</i></p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S)<br/>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br/><i>(if applicable, all necessary)</i></p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. <input type="checkbox"/> Specification Sequence Listing on:           <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> </li> <li>c. <input type="checkbox"/> Statement verifying identity of above copies</li> </ul> |
|--|--|

### ACCOMPANYING APPLICATION PARTS

- |   |  |
|---|--|
| <p>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement<br/><i>(when there is an assignee)</i></p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449</p>  | <p><input type="checkbox"/> Power of Attorney</p> <p><input checked="" type="checkbox"/> Copies of IDS Citations</p> |
| <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br/><i>(Should be specifically itemized)</i></p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br/><i>(if foreign priority is claimed)</i></p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or its equivalent</p> <p>17. <input type="checkbox"/> Other:</p> |  |

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP) | of prior application No.: 10/230,060 filed August 29, 2002.

Prior application information:

Examiner:

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 19. CORRESPONDENCE ADDRESS

|   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Customer Number | 20582<br><i>Insert Customer No. or Attach bar code label here</i> | or <input type="checkbox"/> Correspondence address below |
| NAME  |   |  |
|   |   |  |
| ADDRESS   |   |  |
|   |   |  |
| CITY  | STATE   | ZIP CODE   |
| COUNTRY   | TELEPHONE   | FAX  |

**PENNIE & EDMONDS LLP**  
 COUNSELORS AT LAW  
 1667 K Street, N.W.  
 Washington, D.C. 20006

ATTORNEY DOCKET NO. 11122-032-999

Date: September 29, 2003

Commissioner for Patents  
 P.O. Box 1450  
 Mail Stop PATENT APPLICATION  
 Alexandria, VA 22313-1450

Sir:

The following utility patent application is enclosed for filing:

|                     |   |                              |
|---------------------|---|------------------------------|
| Applicant(s):       | Harry A. Dugger, III<br>Mohammed Abd El-Shafy         | Executed on:      Unexecuted |
| Title of Invention: | BUCCAL, POLAR AND NON POLAR SPRAY CONTAINING ZOLPIDEM |                              |

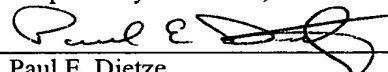
**PATENT APPLICATION FEE VALUE**

| TYPE         | NO. FILED | LESS | EXTRA   | EXTRA RATE       | FEE     |
|--------------|-----------|------|---|------------------|---------|
| Total Claims | 62        | - 20 | 42  | \$18.00 each     | \$ 756  |
| Independent  | 8         | - 3  | 5   | \$84.00 each     | \$ 420  |
|              |           |      | Minimum Fee   |                  | \$ 750  |
|              |           |      | Multiple Dependency Fee   |                  | \$ 0    |
|              |           |      | If Applicable (\$280.00)  |                  |         |
|              |           |      |   | Total            | \$ 1926 |
|              |           |      | Applicant qualifies for the 50% Reduction for Independent Inventor,<br>Nonprofit Organization or Small Business Concern |                  | \$ 963  |
|              |           |      |   | Total Filing Fee | \$ 963  |

- DO NOT PUBLISH.** I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
- Priority of application no. filed on is claimed under 35 U.S.C. § 119.
- The certified copy of the priority application has been filed in application no. filed on .
- Amend the specification by inserting before the first line the following sentence: This is a continuation-in-part of application no. filed on .

Please charge the required fee to Pennie & Edmonds LLP Deposit Account 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,



Paul E. Dietze  
*For:* Thomas G. Rowan  
 PENNIE & EDMONDS LLP

Reg No. 34,419  
 Reg No. 45,627

Enclosure

This form is not for use with continuation, divisional, re-issue, design or plant patent applications.